

### **REMARKS**

Claims 1-3, 5 and 7-13 are pending in the application. Claims 4, 6 and 19-26 are canceled with this response. Claim 1 has been amended to include the limitation of previous pending claim 4, and claim 7 has been amended to depend upon claim 1, rather than on canceled claim 6. Reconsideration of the application in light of the following remarks is respectfully requested.

#### **I. REJECTION OF CLAIMS 1-2, 6, 9-10, 13, 19-21 AND 24-26 UNDER 35 U.S.C. § 103(a)**

Claims 1-2, 6, 9-10, 13, 19-21 and 24-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,078,738 (Garza et al.) in view of U.S. Patent No. 5,801,954 (Le et al.). Claims 6, 19-21 and 24-26 are canceled with this response. Withdrawal of the rejection of the remaining claims is respectfully requested for at least the following reasons.

In the Advisory Action of August 16, 2004, it stated that claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. Claim 1 has been amended to include the limitations of claim 4, and claim 4 has been canceled with this response. Consequently, claim 1 and its depending claims are now believed to be in condition for allowance. Accordingly, withdrawal of the outstanding rejection is respectfully requested.

#### **II. REJECTION OF CLAIMS 3-5, 7-8, 11-12, AND 22-23 UNDER 35 U.S.C. § 103(a)**

Claims 3-5, 7-8, 11-12 and 22-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Garza et al. in view of Le et al., and further in view of a number of tertiary references (U.S. Patent No. 5,962,173 (Leroux, claims 3 and 22), U.S. Patent No. 5,698,346 (Sugawara, claim 4), U.S. Patent No. 6,268,093 (Kenan, claims 5, 7 and 23), and U.S. Patent No. 5,723,233 (Garza '233, claim 8)). Claims 4 and 22-23 are canceled with this response.

In addition, claim 1 was amended to include the limitations of claim 4, which was held to include allowable subject matter. Consequently, claims 3, 5, 7-8 and 11-12 which depend on amended claim 1 are believed to be in condition for allowance. Accordingly, withdrawal of the rejection of these claims is respectfully requested.

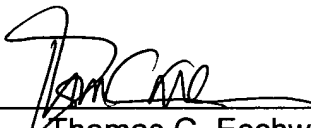
### **III. CONCLUSION**

For at least the above reasons, the claims currently under consideration are believed to be in condition for allowance.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should any fees be due as a result of the filing of this response, the Commissioner is hereby authorized to charge the Deposit Account Number 50-1733, AMDP440USA.

Respectfully submitted,  
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#### CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450  
Alexandria, VA 22313-1450

Date: August 18, 2004

  
Christine Gillroy